

BILL ANALYSIS

Senate Research Center
79R16551 HLT-F

H.B. 3574
By: Giddings (Deuell)
Intergovernmental Relations
5/20/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

H.B. 3574 creates the Dallas County Municipal Utility District No. 3 and enumerates its powers, duties, and obligations.

In 1925, the legislature enacted its first law to authorize the creation of water control and improvement districts. Article 16, Section 59, Texas Constitution, authorized such entities to have unlimited taxing authority and to issue debt backed by such taxes in order to construct public infrastructure to control and use water beneficially. The Water Code now authorizes approximately 13 different types of water districts to deal with surface water usage.

Water districts can be created by three methods: by county commissioners court, by the Texas Commission on Environmental Quality or a successor agency, and by the legislature.

H.B. 3574 proposes the legislative creation of a municipal utility district to be located entirely in Dallas County.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws, by adding Chapter 8141, as follows:

CHAPTER 8141. DALLAS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

Sets forth standard language for the creation of the Dallas County Municipal Utility District No. 3 (district) in Dallas County. Sets forth standards, procedures, requirements and criteria for:

Creation and approval of the district (Sections 8141.001-8141.004);

Size composition, election, and terms of the board of directors of the district (Sections 8141.021-8141.026, 8141.051-8141.052)

Powers and duties of the district (Sections 8141.101-8141.106);

General finance provisions and authority to issue bonds and obligations for the district (Sections 8141.151-8141.153, 8141.201); and

Procedures for the division of the district into multiple districts (8141.251-8141.255).

Does not authorize the use of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2005.